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Scott Manthei, Julie Matousek, Melissa Mitchell, and Dwight Neven*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ARTHUR LEE GARRISON,  
  
Plaintiff,  
  
v.  
  
NEVADA DEPARTMENT OF  
CORRECTIONS DIRECTOR, et al.  
  
Defendants

Case No. 3:17-cv-00391-MMD-WGC

**ORDER GRANTING  
MOTION FOR EXTENSION OF TIME  
TO FILE DISPOSITIVE MOTIONS**

Defendants, Romeo Aranas, Guy Brown, Julie Matousek, Melissa Mitchell, Dwight Neven and Perry Russell, by and through counsel Aaron D. Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney General, hereby move this Court for an extension of time file a Motion for Summary Judgment. This Motion is made and based upon Federal Rule of Civil Procedure 6(b)(1)(A), the attached Points and Authorities, the papers and pleadings on file herein, and such other and further information as this Court may deem appropriate.

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. ARGUMENT**

This is a prisoner civil rights suit brought by Plaintiff Arthur Lee Garrison (Plaintiff), pursuant to 42 U.S.C. § 1983. (*See generally* ECF No. 6.) Plaintiff is an inmate lawfully incarcerated by the Nevada Department of Corrections (NDOC) at Northern Nevada Correctional Center (NNCC). (Id. at 3:15-16.)

1 On January 1, 2019 the Court issued a Screening Order allowing Plaintiff to proceed against  
2 Defendants for claims alleging Eighth Amendment deliberate indifference to serious medical needs.  
3 (ECF No. 35 at 7:25)

4 On September 9, 2020, this Court issued an order granting Plaintiff's request to extend  
5 discovery and associated deadlines. (ECF No. 214). This Court extended the deadline to file dispositive  
6 motions until December 21, 2020. (Id.)

7 On Friday, December 5, 2020, prior Counsel for the Defendant unexpectedly left the employ of  
8 the Office of the Attorney General. Counsel substituted in for prior counsel to maintain the continuity  
9 of representation. (ECF No. 238) However, Counsel is not prepared to file a Motion for Summary  
10 Judgment by the Court's deadline. Counsel requires additional time to familiarize himself with this  
11 matter and the medical issues involved. Therefore, a short extension of time is requested.

12 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

13 When an act may or must be done within a specified time, the court may,  
14 for good cause, extend the time: (A) with or without motion or notice if  
15 the court acts, or if a request is made, before the original time or its  
extension expires; or (B) on motion made after the time has expired if the  
party failed to act because of excusable neglect.

16 Defendant's request is timely and will not hinder or prejudice Plaintiff's case, but will allow for  
17 a thorough opportunity to review the case through Summary Judgment. The requested extension of  
18 time should permit the Defendant to file a well-researched and proper Motion for Summary Judgment  
19 in this case. In light of the short time from the departure of prior counsel, it is respectfully asserted that  
20 a short extension is warranted.

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1 **II. CONCLUSION**

2 Defendant asserts that the requisite good cause and extenuating circumstance is present to  
3 warrant the requested extension of time. Therefore, the Defendants requests an extension, until  
4 **January 21, 2021**, to file their Motion for Summary Judgment.

5 DATED this 18<sup>th</sup> day of December, 2020.

6 AARON D. FORD  
7 Attorney General

8 By: /s/Douglas R. Rands  
9 DOUGLAS R. RANDS  
10 Sr. Deputy Attorney General

11 *Attorneys for Defendants*

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22 IT IS SO ORDERED.

23 DATED: December 22, 2020.

24  
25 Warren G. Cobb  
26 UNITED STATES MAGISTRATE JUDGE  
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